TOWN OF WATERTOWN

REGULAR MEETING

MUNICIPAL BUILDING

MARCH 12, 2009

TOWN BOARD MEMBERS

JOEL R. BARTLETT, SUPERVISOR – STEPHEN L. RICH, COUNCILMAN - PAUL V. DESORMO, COUNCILMAN

DAVID D. ROSSER, COUNCILMAN – EDWARD R. SMITH, COUNCILMAN

Councilman Desormo offered a prayer and Supervisor Bartlett led the Pledge of Allegiance.

Supervisor Bartlett called the meeting to order at 7:00 PM and called for a roll of members present. All members were present. Legal Counsel Joseph W. Russell was present at the meeting.

MOTION # 26

Supervisor Bartlett moved to accept the minutes of the February 12, 2009 Regular Meeting, Councilman Prosser seconded.

Ayes All

Supervisor Bartlett opened the floor to the public for anyone wishing to address the town board.

Mr. Earl Reff, pastor of Fellowship Baptist Church, stated that the church would like to know how to connect to the town sewer system. Supervisor Bartlett responded by saying that the sewer district would have to be extended. He further advised that the cost of the line to the church would have to be bourn by the church, and that it would probably be cost prohibitive.

Mr.Bill Pugliese asked if the town would be benefiting from the federal stimulus money. Supervisor Bartlett reviewed the conditions under which the town or other local governments could receive this aid.

No one else chose to address the town board and Supervisor Bartlett closed the floor to the public.

Town Clerk's correspondence:

Three letters were received and submitted to the board members. North Country Affordable Housing, Inc., Mr. Michael Moran,and Mr. Randy Vaas.

Supervisor Bartlett acknowledged receipt of the Town Clerk's report for the month of February 2009.

RESOLUTIONS:

MOTION # 27

WHEREAS, Cunningham Excavation Inc. has submitted payment request No. 1 for work completed on the Town of Watertown Water District No. 6 water supply improvements known a project No. 2007-116 in the amount of $43,379.80.

WHEREAS, the work completed meets all requirements of the contract documents, is certified by the town engineer and the engineer has recommended payment for the work completed.

THEREFORE BE IT RESOLVED, the town council herby authorizes payment request No. 1 to Cunningham Excavation Inc. in the amount of $43,379.80 for materials and work completed on the Water District No. 6 capital improvement project No. 2007-116.

Supervisor Bartlett moved the foregoing resolution and Councilman Smith seconded.

Ayes All

MOTION #28

WHEREAS, Statewide Aquastore Inc. has submitted a change order request that modifies the contract with Statewide Aquastore Inc. for additional materials and work relating to project No. 2006-057 in the amount of $2,527.50, and

WHEREAS, the work completed meets the requirements of the contract documents and is certified by the town engineer.

THEREFORE BE IT RESOLVED, the town council hereby authorizes change order No. 2 in the amount of $2,527.50 for additional materials and work completed on the Water District No. 1 capital improvement project No. 2006-057.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 29

WHEREAS, Statewide Aquastore Inc. has submitted a pay request (payment request #5 for work completed on the Water District No. 1 capital improvement project). (elevated water storage tank contract No. 1) project number 2006-196 in the amount of $78,545.34, and

WHEREAS, the work completed meets the requirements of the contract documents and is certified by the town engineer.

THEREFORE BE IT RESOLVED, the supervisor is hereby authorized to issue payment No. 5 to Statewide Aquastore Inc. in the amount of $78,545.34 for work completed on the Water District No. 1 capital improvement project No. 2006-196.

Supervisor Bartlett moved the foregoing resolution and Councilman Desormo seconded.

Ayes All

MOTION # 30

WHEREAS, the disabled Persons Action Organization (DPAO) has requested a grant of town bed tax revenues in the amount of $27,000.00 for the purpose of underwriting the organizations advertising and promotional expenses for the 2009 Summer Concert Series, a series of concerts that brings thousands of tourists to the area, and

WHEREAS, the DPAO annually provides the town with documentation as to how the grant funds are appropriated by the organization to promote tourism for the area, and

WHEREAS, appropriations for funding this request were inc luded in the Fiscal Year 2009 budget adopted in November, 2008, and

WHEREAS, the director of the DPAO has executed this resolution on behalf of the DPAO and agrees to appropriate said grant of bed tax revenues for the purpose of advertising and promoting the 2009 Summer Concert Series.

NOW, THEREFORE BE IT RESOLVED, the Town Council of the Town of Watertown hereby authorizes the award of said grant of occupancy tax revenues for the purpose of underwriting promotional expenses associated with the 2009 Sumer Concert Series in the amount of $27,000.00, and

BE IT FURTHER RESOLVED, the supervisor is hereby authorized to execute this agreement resolution on behalf of the Town of Watertown.

The foregoing resolution was offered by Supervisor Bartlett and seconded by Councilman Prosser.

Ayes All

MOTION # 31

WHEREAS, the Jefferson County Agricultural Society has submitted a request for a grant of town bed tax revenues to be used to underwrite promotional costs associated with promoting the Jefferson County Fair, the oldest continuously operating county fair in the nation, and

WHEREAS, due to cuts in state funding of county fair operations, a decrease in state revenues that support the county fair will create a negative impact on the overall success of the fair, leading to a shortage of revenue resources for advertising and promoting the county fair.

THEREFORE BE IT RESOLVED, a grant in the amount of $5,000.00 is hereby authorized.

The foregoing resolution was offered by Supervisor Bartlett and seconded by Councilman Rich.

Ayes All

MOTION # 32

WHEREAS, the Volunteer Transportation Center, Inc. provides transportation to town residents who are in need of transportation, and

WHEREAS, the Volunteer Transportation Center Program has provided transportation to town residents who would not be able to keep a number of appointments necessary to maintain their health and welfare and a quality of life, and

WHEREAS, funds were inc luded in the Fiscal Year 2009 General Fund Budget for this purpose.

THEREFORE BE IT RESOLVED, a grant in the amount of $1,000.00 to the Volunteer Transportation Center, Inc. is hereby authorized.

The foregoing resolution was offered by Supervisor Bartlett and seconded by Councilman Prosser.

Ayes All

MOTION # 33

WHEREAS, the term of office of Z.B.A. board member Charles Fluno has expired, and

WHEREAS, Mr. Fluno has expressed his desire to be appointed to another term of office on the Town of Watertown Zoning Board of Apeals.

THEREFORE BE IT RESOLVED, Charles Fluno is hereby appointed to the position of Zoning Board of Appeals member for the term expiring December 31, 2012.

The foregoing resolution was offered by Supervisor Bartlett and seconded by Councilman Smith.

Ayes All

MOTION # 34

WHEREAS, Assessor Roger Tibbetts has applied for the following splits & corrections to the 2009 tax roll for real property identified as:

Split

91.00-1-31.51	Jaye Miller	$1,107.00	26.26

Split into

91.00-1-31.51	Jaye Miller	$1,000.72	2.77
91.00-1-31.53	William Niewieroski	$ 106.28	23.46

BE IT RESOLVED, that the town board hereby approves the split of this tax bill and authorizes the town clerk to issue a corrected tax bill to the owner of said parcel.

The foregoing resolution was offered by Supervisor Bartlett and seconded by Councilman Rich.

Ayes All

MOTION # 35

BOND RESOLUTION DATED MARCH 12, 2009

A RESOLUTION AUTHORIZING THE UPGRADES TO PIPELINE, WATER TOWER, TELEMETRY AND BULK LOADING AREA FOR THE TOWN OF WATERTOWN WATER DISTRICT No. 3 AND AUTHORIZING THE ISSUANCE OF A MAXIMUM OF $247,100.00 INSERIAL BOND OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the Town Board of the Town of Watertown, Jefferson County, New York, as follows:

SECTION 1. The upgrades to pipeline, water tower, telemetry and bulk loading area for the Town of Watertown Water District #3 by the Town of Watertown, Jefferson County, New York is hereby authorized at a maximum estimated cost of $247,100.00.

SECTION 2. It is hereby determined that the period of probable usefulness of the aforesaid class or objects is forty years, pursuant to Subdivision 1 of Paragraph a of Section 11.00 of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107 (d) (3)(d) of the Local Finance Law.

SECTION 3. The plan for the financing of such maximum estimated cost is by the issuance of serial bonds not exceeding $247,100.00 of said Town, hereby authorized to be issued therefore pursuant to the Local Finance Law. The maturity of such obligations will exceed five years.

SECTION 4. The faith and credit of said Town of Watertown, Jefferson county, New York is hereby irrevocably pledged for the payment of the principal of and interest on such bonds a the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall

annually be levied on all taxable real property of said Town of Watertown Water District #3, water rents sufficient to pay the principal of and interest of such bonds as the same become due and payable.

SECTION 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the statutory installment bonds herein authorized, including renewal of such notes, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. Such notes shall be of such terms, form and contents and shall be sold in such manner, as may be prescribed by said Town Supervisor, the chief fiscal officer, consistent with the provisions of the Local Finance Law.

SECTION 6. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object of purpose for which said Town is not authorized to expend money, or
(2) The provisions of law which would be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit of proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
(3) Such obligations are authorized in violation of the provisions of the Constitution.

SECTION 7. Upon this resolution taking effect, the same be published in full in the Watertown Daily Times, the official newspaper of said Ton for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

SECTION 8. This resolution is subject to permissive referendum pursuant to Section 36.00(a) of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Bartlett	Aye
Councilman Rich	Aye
Councilman Desormo	Aye
Councilman Prosser	Aye
Councilman Smith	Aye

The resolution was thereupon declared duly adopted.

MOTION # 36

BOND RESOLUTION DATED MARCH 12, 2009

A RESOLUTION AUTHORIZING THE UPGRADES TO PIPELINE, WATER TOWER, TELEMETRY AND BULK LOADING AREA FOR THE TOWN OF WATERTOWN WATER DISTRICT #4, AND AUTHORIZING THE ISSUANCE OF A MAXIMUM OF $351,050.00 IN SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the Town Board of the town of Watertown, Jefferson County, New York, as follows:

SECTION 1. The upgrades to pipeline, water tower, telemetry and bulk loading area for the Town of Watertown Water District #4 by the Town of Watertown, Jefferson County, New York, is hereby authorized at a maximum estimated cost of $351,050.00.

SECTION 2. It is herby determined that the period of probable usefulness of the aforesaid class of objects is forty years, pursuant to Subdivision 1 of Paragraph a of Section 11.00 of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107 (d)(3)(d) of the Local Finance Law.

SECTION 3. The plan for the financing of such maximum estimated cost is by the issuance of serial bonds not exceeding $351,050.00 of said Town, hereby authorized to be issued therefore pursuant to the Local Finance Law. The maturity of such obligations will exceed five years.

SECTION 4. The faith and credit of said Town of Watertown, Jefferson County, New York is hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable din such year. There shall annually be levied on all taxable real property of said Town of Watertown Water District #4, water rents sufficient to pay the principal of and interest of such bonds as the same become due and payable.

SECTION 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the statutory installment bonds herein authorized, including renewal of such notes, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Town Supervisor, the Chief Fiscal Officer, consistent with the provisions of the Local Finance Law.

SECTION 6. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object of purpose for which said Town is not authorized to expend money, or
(2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit of proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
(3) Such obligations are authorized in violation of the provisions of the Constitution.

SECTION 7. Upon this resolution taking effect, the same be published in full in the Watertown Daily Times, the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

SECTION 8. This resolution is subject to permissive referendum pursuant to Section 36.00 (a) of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Bartlett	Aye
Councilman Rich	Aye
Councilman Desormo	Aye
Councilman Prosser	Aye
Councilman Smith	Aye

The resolution was thereupon declared duly adopted.

MOTION # 37

WHEREAS, the Black River Trail Scenic Byway, as currently defined in New York State Legislation, runs from the City of Rome to the City of Ogdensburg, and

WHEREAS, State Highway 812 from Lowville to Ogdensburg departs from the Black River, thereby having no connection to the resource that defines the theme for this scenic byway, and

WHEREAS, it is important for scenic byways and other tourism programs to have a theme with which local communities can identify and that presents an authentic image and experience by byway travelers, and

WHEREAS, the Black River Trail “story” would be incomplete by leaving out the remaining half of the Black Ricer from Lowville to Dexter, and

WHEREAS, Maple Traditions communicates a more authentic theme for NYS Route 812 from Lowville to Ogdensburg, and

WHEREAS, these changes have received public support throughout the corridor management planning process, and

WHEREAS, such a change requires the passage of State Legislation.

NOW THEREFORE, the Town of Watertown makes the following recommendations:

1. The Town of Watertown supports the CMP recommendation to extend the Black River Trail Scenic Byway from Lowville to Dexter so that the byway follows the Black River Along its remaining length.
2. The Town of Watertown supports the Corridor Management Plan recommendation to rename the entire length or State Highway 812, from Lowville to the Ogdensburg-Prescott International Bridge, a the Maple Traditions Scenic Byway, and to also recognize State Highway 68 from Ogdensburg to Canton, and U.S. Route 11 from Canton to Gouverneur, as an alternative loop to the Maple Traditions Scenic Byway.
3. The Town of Watertown encourages the Governor and the State Legislature to work with the New York State Department of Transportation and the Adirondack North Country Association to pass legislation to achieve these recommendations.

The foregoing resolution was offered by Supervisor Bartlett and seconded by Councilman Prosser.

Ayes All

MOTION # 38

Supervisor Bartlett moved to pay the following abstracts as audited.

General Vouchers	#	68	to	69	Total	$ 610.02
Spec. Dist Voucher		#	19	to	19	Total $ 29.51
General Vouchers	#	70	to	96	Total	$21,936.06
Highway Vouchers	#	51	to	77	Total	$10,998.11
Spec. Dist Vouchers		#	20	to	24	Total $45,961.39

Councilman Desormo seconded.

Ayes All

Old Business:

Discussion took place regarding the letter from Mike Moran regarding his complaint about the town Assessor. It was decided that proper identification should be made available by the assessor, and prior notification be given to residents.

Supervisor Bartlett notified the board that the town was in violation of their spiedies permit for the Lettiere Tract sewer station.

The board also agreed to pay lodging expenses for Planning Board member Randy Vaas for attending a seminar on land use.

MOTION # 39

There being no further business to address, Councilman Prosser moved to adjourn the meeting at 7:41 PM. Councilman Desormo seconded.

Ayes All

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Catherine M. Rich, Town Clerk